



NORTH AMERICA SOUTH AMERICA EUROPE ASIA

1901 L Street, N.W.
Washington, D.C. 20036
+1 202-282-5000
+1 202-282-5100

CHRISTOPHER D. MAN
Partner
+1 202-282-5622
CMan@winston.com

November 25, 2024

Hon. J. Paul Oetken
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007
Via email: OetkenNYSDChambers@nysd.uscourts.gov

Re: USA v. Mizrahi, 22-cr-650
Letter Motion Requesting Extension Of Mr. Mizrahi's Prison Report Date

Dear Judge Oetken:

Martin Mizrahi asks that the Court extend his current prison report date from December 2, 2024, next Monday, to January 2, 2025, and to again recommend, as Your Honor did at sentencing, that the Bureau of Prisons (BOP) designate him to FCI Lompoc or to a facility near his home in Las Vegas. Mr. Mizrahi just learned today that BOP has designated him to report to FCI Leavenworth in Kansas. Although "[t]he Bureau attempts to designate inmates to facilities commensurate with their security and program needs within 500 driving miles of their release residence,"¹ FCI Leavenworth is 1,170 miles from Mr. Mizrahi's residence in Las Vegas and the road distance is more than 1,350 miles.

Mr. Mizrahi's ability to maintain his family ties and other relationships in his community, which will benefit his rehabilitation and ultimate reintegration into society, will suffer from the distance. Mr. Mizrahi's parents live in Las Vegas and are in their eighties. They can be driven to a facility closer to home, such as FCI Lompoc, but would be unable to make the more than 19-hour drive to FCI Leavenworth. Flying is not an option for them either, which is why they did not attend Mr. Mizrahi's sentencing in New York. Mr. Mizrahi's other friends and family are in Las Vegas or on the West Coast too, including Mr. Mizrahi's long-time counsel Mark Kulla who lives near FCI Lompoc.

Mr. Mizrahi appreciates that the Court lacks the power to order that he serve his sentence at any particular facility, but the Court does have the power to alter a reporting date and to reiterate its recommendation for a facility closer to Mr. Mizrahi's home. In these situations, such orders have been effective in guiding BOP to designate a defendant to serve his or her sentence somewhere closer to home and more consistent with BOP's own policy.

¹ BOP, Designations, https://www.bop.gov/inmates/custody_and_care/designations.jsp.

WINSTON
& STRAWN
LLP

November 25, 2024
Page 2

On behalf of Mr. Mizrahi, and his friends and family, we appreciate the Court's consideration.

Respectfully yours,

/s/ Christopher Man
Christopher Man

cc: All parties via ECF

Denied.
So ordered.
11/26/2024



J. PAUL OETKEN
United States District Judge